

than three Commissioners may be appointed from the same political party. The President designates one of the Commissioners to be the Chairman of the Commission ("Chairman").

(c) *Terms and vacancies.* The term of each member of the Commission is 5 years and begins when the term of the predecessor of that member ends (i.e., on June 30 of each successive year), except that, when the term of office of a member ends, the member may continue to serve until a successor is appointed and qualified. A vacancy in the office of any Commissioner shall be filled in the same manner as the original appointment, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he or she succeeds. Each Commissioner shall be removable by the President for inefficiency, neglect of duty, or malfeasance in office.

(d) *Quorum.* A vacancy in the Commission, so long as there shall be three Commissioners in office, shall not impair the power of the Commission to execute its functions. Any three Commissioners in office constitute a quorum for the transaction of the business of the Commission, and the affirmative votes of any three Commissioners shall be sufficient for the disposition of any matter which may come before the Commission. For purposes of holding a formal meeting for the transaction of the business of the Commission, the actual presence of two Commissioners shall be sufficient, with proxy votes of absent members permitted in order to obtain the required three affirmative votes. See Commission Order No. 84.

(e) *Meetings; records; rules and regulations.* The Commission shall, through its Secretary, keep a true record of all its meetings and the yea-and-nay votes taken therein on every action and order approved or disapproved by the Commission. In addition to or in aid of its functions, the Commission adopts rules and regulations in regard to its powers, duties and functions under the shipping statutes it administers.

§ 501.3 Organizational components of the Federal Maritime Commission.

The major organizational components of the Commission are set forth in the Organization Chart attached as Appendix A to this part. An outline table of the components/functions follows:

- (a) Office of the Chairman of the Federal Maritime Commission.
(*Chief Executive and Administrative Officer, and FOIA and Privacy Act Appeals Officer.*)
 - (1) Information Security Officer.
 - (2) Designated Agency Ethics Official.
- (b) Offices of the Members of the Federal Maritime Commission. (*Include the Chairman, ADP Committee.*)
- (c) Office of the Secretary. (*FOIA and Privacy Act Officer; Federal Register Liaison; Alternative Disputes Resolution Coordinator.*)
 - (1) Office of Informal Inquiries, Complaints and Informal Dockets.
 - (2) [Reserved]
- (d) Office of the General Counsel. (*Ethics Official.*)
- (e) Office of Administrative Law Judges.
- (f) Office of Equal Employment Opportunity.
- (g) Office of the Inspector General.
- (h) Office of the Managing Director. (*Chief Operating Officer; Designated Senior IRM Official; Senior Procurement Executive and ATFI Contracting Officer; Audit Followup and Management Controls.*)
 - (1) Office of Information Resources Management. (*Senior IRM Manager; Computer Security; Forms Control; Records Management.*)
 - (2) [Reserved]
- (i) Bureau of Economics and Agreement Analysis.
 - (1) Office of Agreements and Information Management.
 - (2) Office of Monitoring I.
 - (3) Office of Monitoring II.
- (j) Bureau of Tariffs, Certification and Licensing.
 - (1) Office of Tariffs.
 - (2) Tariff Control Center.
 - (3) Office of Service Contracts and Passenger Vessel Operations.
 - (4) Office of Freight Forwarders.
- (k) [Reserved]

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- (l) Bureau of Enforcement.
 - (1) New York District.
 - (2) Miami District.
 - (3) Los Angeles District.
- (m) Bureau of Administration. (*Competition Advocate; Information Security; Principal Management Official on Small Agency Council.*)
 - (1) Office of Administrative Services. (*Physical Security; FMC Contracting Officer.*)
 - (2) Office of Budget and Financial Management. (*Chief Financial Officer.*)
 - (3) Office of Personnel.
- (n) Boards and Committees.
 - (1) Executive Resources Board.
 - (2) Committee on Automated Data Processing.
 - (3) Performance Review Board.
 - (4) Incentive Awards Committee.

[59 FR 954, Jan. 7, 1994, as amended at 59 FR 62329, Dec. 5, 1994; 59 FR 67227, Dec. 29, 1994; 60 FR 57940, Nov. 24, 1995; 61 FR 51231, Oct. 1, 1996]

§ 501.4 Lines of responsibility.

(a) *Chairman.* The Office of the Secretary, the Office of the General Counsel, the Office of Administrative Law Judges, the Office of Equal Employment Opportunity, the Office of the Inspector General, the Office of the Managing Director, and officials performing the functions of Information Security Officer and Designated Agency Ethics Official, report to the Chairman of the Commission.

(b) *Office of the Managing Director.* The Bureau of Economics and Agreement Analysis; Bureau of Tariffs, Certification and Licensing; Bureau of Enforcement; and Bureau of Administration report to the Office of the Managing Director. The Offices of Equal Employment Opportunity and of the Inspector General receive administrative assistance from the Managing Director. All other units of the Commission receive administrative guidance from the Managing Director.

(c) *Bureau of Enforcement and Area Representatives.* The Area Representatives report to the Director, Bureau of Enforcement.

[59 FR 954, Jan. 7, 1994, as amended at 59 FR 67227, Dec. 29, 1994; 60 FR 57941, Nov. 24, 1995; 61 FR 51231, Oct. 1, 1996]

§ 501.5 Functions of the organizational components of the Federal Maritime Commission.

As further provided in subpart C of this part, the functions, including the delegated authority of the Commission's organizational components and/or officials to exercise their functions and to take all actions necessary to direct and carry out their assigned duties and responsibilities under the lines of responsibility set forth in § 501.4, are briefly set forth as follows:

(a) *Chairman.* As the chief executive and administrative officer of the Commission, the Chairman presides at meetings of the Commission, administers the policies of the Commission to its responsible officials, and assures the efficient discharge of their responsibilities. The Chairman provides management direction to the Offices of Equal Employment Opportunity, Inspector General, Secretary, General Counsel, Administrative Law Judges, and Managing Director with respect to all matters concerning overall Commission workflow, resource allocation (both staff and budgetary), work priorities and similar managerial matters; and establishes, as necessary, various committees and boards to address overall operations of the agency. The Chairman serves as appeals officer under both the Freedom of Information Act and the Privacy Act. The Chairman appoints the heads of major administrative units after consultation with other Commissioners. In addition, the Chairman, as "head of the agency," has certain responsibilities under Federal laws and directives not specifically related to shipping. For example, the special offices or officers within the Commission, listed under paragraphs (a)(1) through (a)(4) of this section, are appointed or designated by the Chairman, are under his or her direct supervision and report directly to the Chairman:

(1) Under the direction and management of the Office Director, the Office of Equal Employment Opportunity ("EEO") ensures that statutory and regulatory prohibitions against discrimination in employment and the requirements for related programs are fully implemented. As such, the Office